



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20460

January 28, 2005

RQ-2

Michael Prohaska, Treasurer  
Mason Tenders District Council of Greater New  
York & LI PAC  
266 West 37th Street, Suite 1150  
New York, NY 10018

**Response Due Date:**  
**February 28, 2005**

Identification Number: C00337733

Reference: Amended April Quarterly Report (01/01/04-03/31/04), received  
07/29/04

Dear Mr. Prohaska:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule H4 of your report discloses memo entries which appear to reflect payments made from your non-federal account for shared federal and non-federal administrative expenses. You are advised that 11 CFR §102.5 prohibits a non-federal account from financing activity in connection with federal elections. Please clarify whether your committee has reimbursed the non-federal account for the federal portion of these payments.

Although the Commission may initiate legal action regarding the activities conducted by your non-federal account, prompt repayment of the federal portion of the payments will be taken into consideration.

-Your report includes multiple Schedules H1. Schedule H1 must be filed with the first report filed in the two-year election cycle for Separate Segregated Funds and Non-connected committees. All shared administrative and generic voter drive costs incurred during the two-year cycle must be allocated according to this ratio, unless the federal account elects to pay a higher percentage of its cost. 11 CFR §106.5(b)(2), (d)(1), (d)(2) and 11 CFR §§104.10(b)(1). Please amend your report to provide only one Schedule H1.

-Schedule H4 of your report discloses a payment that appears to be made to your own committee. Please clarify this apparent discrepancy.

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. Requests for extensions of time in which to respond will not be considered. Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1139.

Sincerely,



Karen E. Trainer  
Campaign Finance Analyst  
Reports Analysis Division

